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7 Attorneys for Representative Plaintiff  
and the Plaintiff Class

8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11  
12 JAMI ZUCCHERO, individually, and on  
behalf of all others similarly situated,

13 Plaintiff,

14  
15 v.

16 HEIRLOOM ROSES, INC,

17 Defendant.

Case No. 4:22-cv-00068-KAW

**CLASS ACTION**

**DECLARATION OF PLAINTIFF JAMI  
ZUCCHERO IN SUPPORT OF  
PLAINTIFF'S MOTION FOR AN ORDER:**

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- (1) GRANTING FINAL APPROVAL OF CLASS ACTION SETTLEMENT;
  - (2) AWARDING ATTORNEYS' FEES AND COSTS TO CLASS COUNSEL;
  - (3) AWARDING A SERVICE AWARD TO THE REPRESENTATIVE PLAINTIFF; AND
  - (4) AWARDING REIMBURSEMENT OF SETTLEMENT ADMINISTRATION COSTS

Date: May 2, 2024

Time: 1:30 p.m.

Dept.: 10B

Judge: Hon. Kandis A. Westmore

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1 I, Jami Zuccherro, declare as follows:

2 1. I am over the age of 18 and a named Plaintiff in this above-captioned matter and  
3 proposed class action against Defendant Heirloom Roses, Inc. (“Heirloom” or “Defendant”). I  
4 make these statements based on personal knowledge and would so testify if called as a witness at  
5 trial. I make this Declaration in support of Plaintiffs’ Motion for an Order: (1) Granting Final  
6 Approval of Class Action Settlement; (2) Awarding Attorneys’ Fees and Costs to Class Counsel;  
7 (3) Awarding a Service Award to the Representative Plaintiff; and (4) Awarding Reimbursement  
8 of Settlement Administration Costs (the “Motion for Final Approval”).

9 2. I am a former Heirloom client. I provided my personally identifiable information  
10 (“PII”) to Heirloom in connection with products I purchased therefrom.

11 3. I received a notice from Heirloom, dated December 16, 2021, informing me that  
12 Heirloom had experienced a cyberattack and that my PII was affected (the “Data Breach”). As  
13 such, I understand that my PII was likely stolen.

14 4. Since the Data Breach, I have spent time researching the Data Breach and reviewing  
15 and monitoring my credit reports and financial account statements for any indications of actual or  
16 attempted identity theft or fraud.

17 5. After receiving the notice from Heirloom, I initiated contact with my attorneys  
18 regarding the data incident in which my personal information was potentially exposed to  
19 unauthorized individuals and subsequently commenced this lawsuit against Heirloom. I also  
20 entered into a written representation agreement with my attorneys. The main purpose of the lawsuit  
21 is to stop and/or correct what I believe to be an unlawful business practice by Defendant in  
22 systematically failing to protect personal information it collected about me and other similarly  
23 situated individuals (“Class Members”).

24 6. Before commencing this lawsuit, my attorneys informed me of the responsibilities  
25 of a class representative. I understand these responsibilities include assuming fiduciary  
26 responsibility to prosecute the lawsuit on behalf of absent Class Members, making the decision to  
27 initiate the lawsuit, assisting with discovery (including sitting for a deposition) and—if the class  
28 is certified—assisting with the trial, including appearing and testifying in court and working with

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1 Class Counsel on behalf of the absent Class Members. Further, I am willing and prepared to put  
2 the interests of absent Class Members before my own and to seek an outcome that is in the best  
3 interest of absent Class Members.

4 7. Through my attorneys, I have reviewed the complaints and other filings and had  
5 the opportunity to provide input and feedback.

6 8. I discussed this matter at length on several occasions with my attorneys to assist in  
7 the investigation and discovery process before and after this case was filed. I made myself available  
8 during the mediations that took place, as well as during the subsequent continued negotiations and  
9 settlement process.

10 9. I spent several hours reviewing documents, investigating and otherwise assisting  
11 my attorneys with this case.

12 10. To my knowledge, I have no interest that is not in line with the Class Members,  
13 who I understand are people who also had their PII improperly exposed.

14 11. To my knowledge, I have no conflict of interest with my attorneys or the other Class  
15 Members.

16 12. I consulted with my attorneys regarding the risks and expenses of continued  
17 litigation through trial and possible appeal and about the benefits conferred by the proposed  
18 Settlement. My attorneys have kept me fully informed of the status of the litigation, particularly  
19 regarding the settlement process and discussions and the proposed Settlement.

20 13. I reaffirm my commitment to prosecute this case and assist my attorneys for the  
21 benefit of absent Class Members.

22 14. I believe the terms of the proposed Settlement are fair and reasonable. I also agree  
23 that I should be provided a \$1,500 Service Award for being a Class Representative. This seems  
24 like fair compensation for the work I put into the case and the reputational risk I suffered for being  
25 a named plaintiff in this lawsuit.

26 15. There are no side agreements, and I am not receiving any special benefits through  
27 this Settlement as a result of my position as a Class Representative.  
28

1           16. I also completely endorse Class Counsel's request for attorneys' fees and costs.  
2 They took this case on a contingency basis and worked for everyone in the Class. They deserve to  
3 be paid for their good work.

4           17. I support the Settlement and respectfully request the Court approve this Motion  
5 for Final Approval.

6 I declare under penalty of perjury under the laws of California and the United States of  
7 America that the foregoing is true and correct.

8  
9 Executed on this 7th day of March 2024 in Wildomar, California.

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12 Jami Zuccherro

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